

**NOTICE OF THE PRELIMINARY DECISION TO ISSUE A
SIGNIFICANT AMENDMENT TO AN INDIVIDUAL AQUIFER PROTECTION PERMIT**

Public Notice No.: 25-09

Published on February 21, 2009

Published in the Casa Grande Dispatch

Pursuant to Arizona Administrative Code, Title 18, Chapter 9, Article 1, the Director of the Arizona Department of Environmental Quality intends to issue an individual Aquifer Protection Permit to the following applicant(s):

Facility Name: San Manuel Mine

Significant Amendment to Aquifer Protection Permit No. P-100421

Permittee: **BHP Copper, Inc. - San Manuel Mine**
P.O. Box M
San Manuel, AZ 85631

The San Manuel Mine (mine) site is located 8 miles northwest of San Manuel, Arizona, in Pinal County, 32° 41' 58" North Latitude and 110° 40' 16" West Longitude, in Township 8 South, Range 16 East, Sections 22, 25, 26, 27, 33, 34, 35, and 3; and Township 9 South, Range 16 East, Sections 2, 3, 4, 9, 10, 15, and 16. The mine operated two underground mine units for copper sulfide ore, an open pit for copper oxide ore, heap leach and in-situ leaching operations that recovered copper-bearing pregnant leach solution (PLS), and a solvent extraction-electrowinning (SX-EW) Plant. The mine operated 51 years from 1948 until underground operations were suspended on June 25, 1999. Mine closure was declared by BHP Copper, Inc. to ADEQ on January 22, 2002. BHP Copper, Inc. requested an amendment to their existing permit (P-100421) on March 17, 2008. The significant amendment will include the following modifications:

1. Facility contact information was updated in Section 1.1 and the Waste Programs Authorizing Signature was added to Section 1.2
2. The Wood Landfill and the Solid Waste Landfill was added to the Facility Site Description in Section 2.1.25 and 2.1.26.
3. Methane gas monitoring was added to the Monitoring Requirements in Section 2.5 and 2.5.5.
4. Completion dates for Compliance Schedule items in Table 3.1 were added.
5. The Wood Landfill and the Solid Waste Landfill were added to Section 4.1 Facility List, Table 1A, and the Facilities Subject to BADCT Requirements, Table 1B.
6. The Wood Landfill and the Solid Waste Landfill were added to Section 4.2, Required Inspections and Operational Monitoring Table 1A.

The draft permit and related documentation are available for public review, Monday through Friday, 8:30 a.m. to 4:30 p.m., at ADEQ, 1110 West Washington Street, Records Management Center, Phoenix, Arizona, 85007. In Phoenix, please call (602)771-4380 or e-mail RecordsCenter@azdeq.gov 24 hours in advance to schedule an appointment to review the file.

Persons may submit comments or request a public hearing on the proposed action, in writing, to Steve Vevang, Project Manager, ADEQ, Groundwater Section, 1110 West Washington Street, MC5415B-3, Phoenix, AZ 85007 within thirty (30) days from the date of this notice. A public hearing request must include the reasons for such request.